HE IS SUING COL. CLEMENT'S SON, WHO ALSO SUES HIM.

Allegation and Denial That the Senator Marselle He Seeks to Foreclose on an Assignment, Clement to Annul It.

his attorney, Hiram C. Todd of Saratoga, he noticed that the check was written asked Justice Ford in Part I. of the Supreme Court yesterday to stay the trial was that of Henry C. Mott, a director of an action brought in this county against of the American Sugar Refining Com-Senator Brackett by Henry S. Clement, pany. So he reached over for a telephone that the cotton bill be made the unfin- St. Jr., until after a suit brought by Senator Brackett in Saratoga county against Henry S. Clement, Jr., his sister, Elizabeth S. C. Seavey, and Henry S. Clement, Sr., has been tried. Charles I. Taylor, of Beardsley, Hemmens & Taylor, appeared to oppose the motion.

body of litigation which has sprung up between Senator Brackett and the Clement family and which centres about the Hotel

Mr. Edwards made an examination family and which centres about the Hotel Marseille, at 103d street and Broadway. William H. Clement died in January, 1887, leaving an estate of some \$500,000. One-fourth of the estate he left in trust for his son, Col. Henry S. Clement, manager of Congress Hall at Saratoga, to go to the Colonel's children upon his death. John B. Clement, another son, and John Cox were named as trustees. Upon the death of Cox, John B. Clement resigned and Henry S. Clement, Jr., and Elizabeth S. C. Seavey, the two children of Col. Clement, became trustees for their father. It is alleged by Henry S. Clement, Jr., in his suit that Senator Brackett and Henry S. Clement, Sr., organized the Hotel Marseille Company about October 1, 1907. Senator Brackett being jointly interested with Col. Clement, pursuant to the terms of an agreement by which Senator Brackett denies this agreement and interest.

terested with Col. Clement, pursuant to the terms of an agreement by which Senator Brackett was to receive 50 per cent. of the net profits. Senator Brackett denies this agreement and interest.

Four notes figure in the litigation. The first of these was made by Henry S. Clement, Sr. The other three bear the name of Henry S. Clement, Jr., either as sole maker or as one of the makers. All are indorsed by Senator Brackett. They represent a total of \$50,000. The last note was for \$5,000, made on July 21, 1908, at the Adirondack Trust Company by the Hotel Marseille Company with the indorsement and guarantee of Brackett. The complaint of the younger Clement alleges that this note was secured by a chatter and that when Henry S. Clement, Jr., went to Saratoga to get the money on the note Senator Brackett refused to give it to him his share in his grandfather's estate. The complaint also says that Senator Brackett "at that time did falsely and fraudulently represent to this plaintiff the true condition of the affairs of said that the said he would have a drink and that was when the stranger offered to give Gallagher \$15 if he would take a check to the First National Bank. Gallagher said he would do it and was starting away when the stranger warned him to leave in a hurry in case any one should appear to suspect him. Gallagher said that was why he didn't wait after Mr. Edwards picked up the telephone.

The police laughed when they had heard the story, but Gallagher stuck to it. He was booked on a charge of attempting to obtain money under false pretences and will be arraigned in the Second Criminal Court to-day. The hear-ing will be postponed until Friday and to him his share in his grandfather's estate. The complaint also says that Senator Brackett "at that time did falsely and fraudulently represent to this plaintiff the true condition of the affairs of said hotel company and of plaintiff's father, said Henry S. Clement, Sr., and did threaten to destroy and render insolvent said hotel company, in which this plaintiff is father was greatly interested, and to work great injury and injustice to said. work great injury and injustice to said Henry S. Clement, Sr.

turned over. The assignment stated that it was made "as security for the payment to the said Brackett of any loan, note, check, duraft or other obligation,", then or thereafter held or owing to Brackett or indorsed by him for the Marseille Hotel Company, Henry S. Clement, Sr., or Henry S. Clement, Jr. Various sums paper. He looked up from the stand to have been paid on the obligations. The sum which Senator Brackett seeks to recover by the sale of Henty S. Clements Jr.'s share in his grandfather's estate is \$39,259.14.

Own Summons on Austrian Agent.

A short, pale, spectacled young man walked down to the subway station at Broadway and 168th street yesterday morning and stopped to buy a newspaper. He looked up from the stand to find a handsome young woman standing in front of him with a folded document thrust out.

Till. turned over. The assignment stated that

Jr.'s share in his grandfather's estate is \$39,259.14.

The younger Clement alleges that he executed the assignment for the purpose of securing the \$5,000 for the hotel company and that it was without consideration.

The young man bowed, put the paper. The young man bowlet of views on application.

The young man bowlet of views on application. pany and that it was without consideration. He alleges that Brackett never lent him money or indorsed any obligation on his account. Further, he alleges that the \$5,000 note to secure which he says he trate O'Connor and said that his name

receiver be appointed for such of the trust fund as is in the State. Justice Ford reserved decision.

Can Have Full Information.

ALBANY, Aug. 9.—Secretary of State Edward Lazansky was in Europe when the Lorimer investigating committee was informed that a demand for \$1.000 had been made at the Secretary of State's office at Albany for a list of contributors to the Republican national campaign fund in 1998. Mr. Lazansky's secretary James J. Neville, subsequently explained that the contributors' names were in a volume and he offered to dispose of it for \$1.000 because he said it became his personal property and he thought it was worth that much to the committee.

Secretary Lazansky is anxious to get the record clear on the transaction and tonight he sent an explanatory letter to Chairman Dillingham of the investigating committee.

"I beg to advise you." writes the Secretary of State, "that any communications had with the Edward Habes Lumber Committee the record of State, "that any communications had with the Edward Habes Lumber Committee the record of State, "that any communications had with the Edward Habes Lumber Committee the record of State, "that any communications had with the Edward Habes Lumber Committee the record of State, "that any communications had with the Edward Habes Lumber Committee.

The Diplomat—Whom are you staring at?

Mrs. Angell, an assistant curator at the Museum of Natural History, now and the Museum of States and Italian at the Museum of States and Italian at the Museum of States and Italian

'I beg to advise you." writes the Secrepany or any other corporation or any person with reference to a charge for this list or report were without authority. No authorized communication was had between this office and any person or corporation with reference to a charge for the said list or report.

Mrs. Angell—A little cur.

She went home, she said, and told her husband what had happened. He was keen for leaving ethnology to its fate and going out and beating up diplomacy, but she told him to go on writing and that she would settle the matter. So she had a summons written out and served it.

"The report in question was filed in this office on November 23, 1908. Article XX. of the election law of this State, commonly known as the corrupt practices act, provides in section 548 that all statements required by this article shall be filed with the Secretary of State except in those cases where a candidate is required to file a statement elsewhere by section 776 of the penal law, and all statements, vouchers, receipts and accounts required to finally raised the sum. vouchers, receipts and accounts required by this article shall be preserved for fifteen menths after the elections to which they relate and shall be open to public inspec-

"Although the time for the preservation in this office of this report has expired I

Letting Down Civil Service Bars.

ALBANY, Aug. 9. The State Civil Service debate.

Mr. Lemieux has accepted the chalMr. Lemieux has accepted the chal-

BRACKETT IN HOTEL LAWSUIT OFFERED A DOCTORED CHECK.

and laid down a check for \$1,200. Cashier | Senate meets to-morrow. Edward I. Edwards, who is also New Jersey's State Comptroller, happened to in a boyish hand and that the signature

The suit of Henry S. Clement, Jr., Montgomery street with Ferrier close against Senator Brackett is to secure at his heels. Detective Sergeant Lyons against Senator Brackett is to secure the annulment of an assignment made to Senator Brackett of the plaintiff's share in the estate of his grandfather. William H. Clement, on the ground that it was procured by "misrepresentations, threats, duress, fraud and force." Senator Brackett's suit in Saratoga county is to foreclose on the assignment and to oust Henry S. Clement, Jr., and Elizabeth S. C. Seavey as trustees of a trust fund created by William H. Clement for the benefit of his son, Henry S. Clement, the fund to go to Henry S. Clement's children upon his death.

The suits are included in a considerable body of litigation which has sprung up the formulation of the street in front of the Hudson Tunnel entrance and he joined in the chase. Before half a block had been covered fifty men were running or the had been covered fifty men were running or shouting or doing both. Ferrier nailed the fugitive at the next corner and turned him over to Lyons. When Lyons got his wind he telephoned for a patrol wagon and the prisoner was taken to police headquarters. There he said he was Patrick Gallagher of 110 Christopher street and that he was a plumber and that he never did anything wrong in his

Mr. Edwards made an examination

HAD HER ANNOYER FINED.

enry S. Clement, Sr."

The assignment was made and the \$5,000 Mrs. Angell, Wife of Ethnologist, Serves

The assignment was made and the \$5,000 Mrs. Angell, Wife of Ethnologist, Serves Own Summons on Austrian Agent.

gave the assignment has been paid and the mortgage discharged.

In his suit pending in Saratoga county Senator Brackett alleges that he had to was now living at 600 West 163d street. pay certain of the notes and is responsi-ble for others. His complaint states that the assignment given by Henry S. Cle-ment to examine into our commercial the assignment given by Henry S. Clement, Jr., was to secure all of these notes unpaid at that time. He asks that the trustees be ordered to make an accountry, that they be discharged and that a the court be good enough to tell him why he was summoned.

Thereupon the server of the summons stepped up and said that she was the NEEDN'T PAY NEVILLE \$1,000, complainant in the case. She said she Lazansky Tells Lorimer Committee It of John Watts Angell, an assistant curator at the Museum of Natural History, now New throughout. Capacity 250. Private bath

Mrs. Angell-A little cur. had a summons written out and served it

SUNDAY POLITICS IN CANADA. Great Meeting Next Week in Which a Cabinet Minister Will Debate.

OTTAWA, Ont., Aug. 9. The success have had it brought into my possession and it is now open to public inspection or accessible for production in any tribunal where it may be lawfully produced. It where it may be lawfully produced. It attended by 10,000 people, has aroused will be retained until January 1, 1912. papers such interest in the Nationalist move when it, together with any other papers that are no longer required to be kepton file, will be destroyed. May I ask you to acquaint the committee with the contents of this letter, and if you deem it proper make it a part of the record."

such interest in the Nationalist movement that another meeting has been arranged for next Sunday. Henri Bourass, the Nationalist leader, characterized Rodolphe Lemieux, the Postmake it a part of the record." ister of Marine, as Laurier's valet and ssued a challenge to meet him in joint

ALBANY, Aug. 9. The State Civil Service Commission, with the approval of Gov. Dix, has authorized Secretary of State Lazansky to appoint without competitive examination five inspectors who are to investigate whether the provisions of the Calian authorities in the enforcement of the law. These inspectors will assist local authorities in the enforcement of the law. They are to receive an annual salary of \$1,200 each.

Mr. Lemieux has accepted the challenge and the encounter will occur at a big open air meeting to be held after mass next Sunday at St. Hyacinthe, Quebec.

Special trains will carry thousands to the meeting, which is looked forward to as one of the best of the campaign. Sunday political meetings held after mass of the law. They are to receive an annual salary of \$1,200 each.

AGAINST COTTON BILL.

of his head stepped up to the paying and decided to report the House cotton teller's window in the First National bill unfavorably. The report will be sub-

The first vote came on a motion of Sena-State Senator Edgar T. Brackett through be standing beside the paying teller and favorably. This was voted down, 9 to 5. to report adversely and it prevailed without opposition.

Senator Penrose will ask to-morrov Democrats, except Simmons of North Carolina, who asked to be excused from voting, supported Senator Williams's mo-tion for a favorable report on the House bill. Even Senator Bailey voted "aye"

ALBANY, Aug. 9 .- The State Conservaion Commission to-night appointed Gov Dix's nephew, Thompson Douglas of Albany, temporary confidential agent for the commission at \$1,800 a year. M: Douglas's work will be in the fish and game division of the department.

noted for picturesque and romantic scenery. The glorious air, the mag-nificent views and comfortable accom-

n connection with West Shore Railroad forms the only all rail through car line between New York and all points in this The summer time schedule is now in

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> Aug. 10, 12:00 Noon | Aug. 12, 9:30 A. M. Adriatic, St. Louis, American Pigr 62. N. R. Plymouth Cherbourg - Southampton
> Louis Aug. 12 Philadelphia Sept.
> Paul Aug. 24 St. Louis Sept.

Atlantic Transport New York - London Direct Pier 54, N. R. Minnetonka, Aug. 12,10:30A M Minneapolls, Sept. 2 Minnewaska, Aug. 25,10:30A M Minnetonka, Sept. 2

Red Star Per 61. N. R London, Paris via Dover Antwerp apland new Aug. 12 Finland Aug. 10 Vaderland Sept.

Lapland, Aug. 12, 10:00 A. M. Oceanic, Aug. 12, 12:00 Noon White Star 4 60 N.R. Plymouth - Cherbourg - Southampton Olympic (new) Aug. 12, noon Oceanic ... Sept. Olympic (new) Aug. 19,1 P.M. Olympic ... Sept. New York - Queenstown - Liverpool

Adriatic....Aug. 10, noon Baltic.....Aug. Cedric......Aug. 17, noon Celtic......Aug. New York and Boston MEDITERRANEAN Azores, Madeira, Gibraltar, Algiers, Naples, Genoa. Sept. 2 Canopic Aug. 19, 4 P. M. Romanic .... Sept. 13

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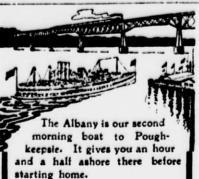
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elevator apartment, well furnished room, ov looking trudson; running water; telepho Apartment 62. SALES BY AUCTION. BY VIRTUE of Chattel Mortgage, I will sell this day, Thursday, Aug. 10, at 11 A. M., 211 Franklin st. Greenpoint, L. L. tables, chairs, pool table, cues, balls, chandellers and gas range. By order of the J. Chr. G. Hupfel Brewling Co.

SAMUEL VORZIMER, Auctioneer,

14TH ST., 343 WEST—Two large, well furnished connecting rooms; running water, excellent take, telephone. 56TH ST., 340 WEST Single, double outside newly furnished rooms; kitchenette suites cle-vator. FORSCHNER. 70TH ST. 162 WEST Handsomely furnished back parlor, sultable doctor; other rooms; with board; very attractive; reasonable, convenient subway and "L"; references. 111TH ST., 121 WEST-Nicety furnished tooms oard optional; private house, subway. L. 100-Large, elegant rooms and excellent be 121ST ST., 238 WEST - Large and small

FOR SALE.

DESKS, partitions, telephone booths, labes, chairs, wardrobes, mirror wall flatures, business furniture, all kinds. FINN BROTHERS, 386 Broadway, 59 Franklin st. ONE pool table, complete, with balls, rack and cues; in good condition; for \$50. L. O. EDWARDS, E. Hampton, L. I. ONE \$85 McCaskey register; never been used holds 100 slips; will sell for \$65. L. O. EDWARDS E. Hampton, L. I. ONE \$350 combination billiard and pool labif, complete with balls, rack and cues; good as new yours for \$100. L. O. EDWARDS, E. Hampton, L. L.

PLAINFIELD, N. J.—Large fully furnished rooms, single or en suite; hot and cold running water; bath; private family; 5 minutes from sta-tion; table board next door. Address PLAIN-FIELD, room 405, Tribune Building, New York city.

salary of \$1,200 each.

Benigged Young Man Didn't Watt for Senate Finance Committee Votes to Re-Cash on Henry C. Mott's Signature.

Had a Half Interest in the Hotel Pank in Jersey City yesterday morning mitted by Senator Smoot of Utah when the 45.324 tor Williams (Dem.) to report the bill The vote then recurred on Smoot's motion

pany. So he reached over for a telephone and while he was waiting to get Central he told Special Officer Robert Ferrier to grab the man at the window.

The man with the wig waited neither to be grabbed nor to grab his check. He took the flight of stairs leading out of the building in one jump and ran up of the building in one ju

State Conservation Commission.

THE Catskill Mountains

THE NEW MONMOUTH

Marlborough - Blenbeim JOSIAH WHITE & SONS COMPANY.

TOURS.

EXCURSIONS.

Mauch Chunk, \$1.50 NEXT SUNDAY Leave W. 23d St. 8.20, Liberty St. 8.30 a.m.

port It Unfavorably.

SUMMER RESORTS. NEW YORK Catskill Mountains.

modations are a great attraction in thi mountain region, which is a paradise fo children and a sanitarium for every THE ULSTER & DELAWARE R. R.

WATER GAP HOUSE

J.AMAICA Panama Canal



EUROPEAN RESORTS PARIS, FRANCE. **PARIS** 

Hotel Comfort.

Under the personal management of MR. A. LOTTI

Saxonia, Aug. 21 Carpathio, Sept. 21.3 Franconia, Oct. 19.

from New York August 19th and Sept. 2nd, 10 A. M. Returning from Quebec August 11th and 25th and Sept. 8th. To Bermuda Round Trip

Berth & Meals Included (First Cabin)
HALIFAX, NOVA SCOTIA, AND
ST. JOHN'S, NEWFOUNDLAND, VIA RED CROSS LINE

JOY 240 BOSTON CINE 240 BOSTON

BLOCK ISLAND, ORIENT, GREENPORT,

SANDY HOOK ROUTE for North Jersey Re-

SPECIAL ANNOUNCEMENT

S. S. BUNKER HILL, will omit trip

S. S. MASSACHUSETTS will leave Pier 15, N. R., foot of Barclay St. at 4 P. M. August 10 and 12; due to arrive at Boston

> CONEY ISLAND SPECIAL NOTICE.

Boats operated by this Company DO NOT hard et West 23d St., or at Dreamland Pier. Briy tickets ONLY at Iron Steamboat Co's hox offices.

LFAVE WEST 129171 STREET.

9:00, 9:45, 10:30, 11:30 A. M.; 12:30, 11:5, 200, 2:45, 3:30, 4:15, 5:15, 6:30, 7:30, 8:40 P. M.

LEAVE PIER (NEW) I. NORTH RIVER.

9:45, 10:30, 11:15 A. M.; 12:15, 1:15, 2:00, 2:45, 5:30, 4:15, 5:00, 6:00, 6:40, 7:15, 8:15, 9:30 P. M.

LEAVE STEEPLECHASE PARK.

10:55 A. M.; 12:25, 1:25, 2:25, 3:10, 3:58, 4:35, 5:25, 6:10, 7:10, 7:30, 8:25, 3:10, 3:58, 4:35, 5:25, 6:10, 7:10, 7:30, 8:25, 3:10, 3:58, 4:35, 5:25, 6:10, 7:10, 7:30, 8:25, 3:10, 3:58, 4:35, 5:25, 6:10, 7:10, 7:30, 8:25, 3:10, 3:58, 4:35, 5:25, 6:10, 7:10, 7:30, 8:25, 3:10, 3:58, 4:35, 5:25, 6:10, 7:10, 7:30, 8:25, 3:10, 8:35, 8:25, 8:30, 8:35, 8:3 Rockaway Beach

Steamer "Crand Rep ic" Lv. Vonkers. 5 45 A. M. sharp.
Lv. W. 129th St., 9 40 A. M., \*118 P. M.
Lv. Pier I, N. R., 10:20 A. M., 2:15 P. M.
Leave Rockaway Beach 12:30, 5:45 P. M.
Trip marked \* transfers to Str. Grand Republic
Round trip Tickets, 50c; Children, 25c,
Include adm. to Steeplechase Park at Rockaway CTON AND POINTS

DATULY ENGLAND Hudson River Day Line
FALL RIVER LINE VIA Newport and Fall River. IV. Pier 19, N. R., ft. Warren St., were das S. and Sundays, 5:30 P. M. Strs. COMMON WE MALE II and PRISCILLA. Orchestra on each PROVIDENCE LINE Via Providence. Leave M Strs. PROVIDENCE and PLYMOUTH NORWICH LINE VIA New London, Lv. Pler Co. R. H. Clarkson St. week days, 500 P. M. Fler 70, E. R. ft. E. 22d St. 630 P. M. Surs. CITY OF LOWELL and CHESTER W. CHAPIN.

NEW BEDFORD LINE TO New Bedfor

Marinas Ameyaro. Nantucket and Cape Co-points. Lv. Pier 40, N. R., It of Clarkson St. week days only at 6500 P. M. Strs. MAINE and NEW HAMPSHIRE.

NEW HAVEN LINE L.v. Pier 28, E. R. 24
P. M. Sunnay S. v. 20, A. M., ft. East 22d St. 300 P. M.
Sunday S. 10:00 A. M. Str. RICHARD PIECK.
Tickets. &c., at 171 Broadway. Transfer
Tourist Offices and Piers. THE PUBLIC BE PLEASED. night trips. Favorite route going COLONIAL LINE North, West or East. BOSTON Via Boat S2.90 PROVIDENCE, Boat Direct FALL RIVER, Via Boat and Rail. 2.25 WORCESTER, Via Boat and Rail. 2.9

Week days and Sundays at 5:39 P. M., from P 9, N. R., foot of West Houston St. ALL OUTSIDE ROOMS—FINEST SERVICE

Phones Spring 9491 and 949

CONEY ISLAND

ROCKAWAY BEACH

STRS. ROSEDALE AND SYLVESTER.
Time Table for To day
Leave West 122th St. 9.30 A. M.: West 23d St.
1030, 2.30; Battery, 10.30, 3.00; Coney Island, 6.52
Rockaway Beach, 12.30, 5.30.
Trips marked 'do not go to Rockaway Bach,
Excursion Tickets to Rockaway San
To Coney Island from W. 123th St.
To Coney Island from W. 23d St. & Battery 40e HARTFORD LINE

WANTED-Linemen, two experienced electric ight finemen. Apply at 266 Pearl st., Hartford onn. THE HARTFORD ELECTRIC LIGHT OMPANY. ACCOUNTANTS, BOOKKEEPERS, STENOGRAPHERS. SPIRE at. Tel. 3425 John. SITUATIONS WANTED MALE. YOUNG delicate man would like some light work of any kind. F., box 115 Sun office. BOARDERS WANTED. 5TH AV., 46-Weil furnished, large, small rooms, with board; refined surroundings; table guests. 13TH ST., 117 WEST - Well furnished large and mail rooms with board; reasonable, table boarders. 14TH ST. 329 WEST Farior floor, also front room, beautifully furnished; running water excellent table.

> 127TH ST. 22 WEST Elegantly coms; excellent table; Jewish family rates; Southerners accommodated THE CELT, 201 WEST LITH STREET
> Large front rooms; cool, clean unexcelled
> table; plano, telephone; large parlor; Southerness
> specially invited.

> > COUNTRY BOARD.

PHOTOGRAPH GALLERY for sale at bargain price for cash to prompt buyer. Call JENKINS STUDIO, 352 6th av., corner 22d at

BUSINESS CHANCES.